

**PROCEEDINGS OF THE BOULDER CITY COUNCIL
AND PLANNING BOARD SPECIAL MEETING**

May 24, 2011

1. CALL TO ORDER AND ROLL CALL

Mayor Osborne called the special May 24, 2011 City Council meeting to order at 6:20 p.m. in Council Chambers.

Those City Council Members present were: Mayor Osborne, Deputy Mayor Wilson and Council Members Ageton, Appelbaum, Cowles, Gray, Karakehian, and Morzel.

Council Member Becker was absent.

Those Planning Board Members present were: Chair Shoemaker, Vice-Chair Holicky and Planning Board Members Brockett, Johnson, Plass, Powell, Young.

STAFF PRESENT:

Jane Brautigam, City Manager

Tom Carr, City Attorney

David Driskell, Executive Director of Community Planning and Sustainability

David Gehr, Deputy City Attorney

Susan Richstone, Comprehensive Planning Manager

Pete Fogg, Boulder County Land Use

Chris Meschuk, Planner II

Marie Zuzack, Planner I

Jean Gatza, Sustainability Planner

Jessica Vaughn, Planner I

Debbie Fox, Administrative Specialist III

ORDER OF BUSINESS

2. PUBLIC HEARINGS:

- A. CITY COUNCIL AND PLANNING BOARD PUBLIC HEARING TO CONSIDER PROPOSED POLICY, TEXT AND MAP CHANGES, AS PART OF THE 2010 MAJOR UPDATE TO THE BOULDER VALLEY COMPREHENSIVE PLAN.**

Staff Presentation

S. Richstone and C. Meschuk presented the item to the board.

Public Hearing

A. POLICIES AND TEXT

- 1. Carolyn Bninski, Rocky Mountain Peace and Justice Center, 3312 16th St.-** She asked the City Council to consider adding the precautionary principle into the BVCP so that products are safe before being introduced to the market and that council reward businesses that support sustainability, are locally owned and provide living wage jobs. .
- 2. Stuart Grogan, Boulder Housing Partners, 4800 Broadway –** He would like a community benefit standard, SIPOC-R goals and the affordable housing task

force outcomes be included in the BVCP and considered with related code changes.

B. AREA III – PLANNING RESERVE

1. **Max Taffet, 2233 4th St., PLAN Boulder County** – He encouraged the CC/PB not go to 2-body decision making for the Planning Reserve and expressed support for the baseline urban services study.
2. **Dr. Allan Villavicencio, 1155 Alpine Ave, Ste 320** – He spoke to the need for the Boulder Multi-Sport Training Complex.

C. MAP CHANGES – SITE #1 (2475 TOPAZ DR & SURROUNDING PROPERTIES)

1. **Michael J. Shopnitz, 2503 Sumac Ave** – spoke in support of the staff recommendation.
2. **Peter Mazula, 2535 Sumac Ave** – spoke in support of the staff recommendation.
3. **Drew Simon, 2557 Sumac Ave** – spoke in support of the staff recommendation.
4. **Howard Bittman, 2582 Sumac Ave (PO Box 2211)** – spoke in support of the staff recommendation.

MAP CHANGES – SITE #3 (3003 VALMONT RD)

1. **John Nuttall, Orchard Grove Development Co, 2401 Ponderosa Dr, Loveland.** - spoke in support of the staff recommendation.

MAP CHANGES – SITE #5 (GOSS GROVE NEIGHBORHOOD)

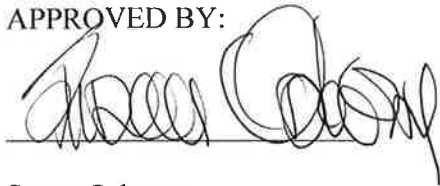
1. **Jay Madtson, 1101 Aurora Ave.** – spoke in opposition to the staff recommendation.
2. **David Secunda, 1461 Zamia** - spoke in support of the staff recommendation.
3. **Florie Kane, pooled time with Hurley Kane and Roscoe Kane, 266 Hillside Lane, Telluride, CO** - spoke in opposition to the staff recommendation.
4. **Jay Pettipiece, 1723 Grove Street** – spoke in opposition to the staff recommendation.
5. **Mary Hey, pooled time with Maria Krenz, Jon Hurd, Jenie Hurd, 1919 Grove St.** – spoke in support of the staff recommendation.
6. **Jenny Devand, 1935 Grove St-** spoke in support of the staff recommendation.

There being no further speakers, the public hearing was closed. Mayor Osborne announced that the City Council would adjourn to allow the Planning Board to deliberate the matter and that the City Council would deliberate and take action at its regularly scheduled meeting on Tuesday, June 7, 2011.

3. **ADJOURNMENT**

There being no further business to come before Council at this time, BY MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED AT 9.05 P.M.

APPROVED BY:



Susan Osborne,
Mayor

ATTEST:



Alisa D. Lewis,
City Clerk

4. **PLANNING BOARD DELIBERATION AND MOTION**

Planning Board Chair **A. Shoemaker** called the Planning Board meeting to order at 9:20 pm.

On a motion by **B. Holicky**, seconded by **T. Plass**, the board voted (7-0) to approve the policy and text changes to the Boulder Valley Comprehensive Plan, excluding section VI Amendment Procedures, including the Area III-Planning Reserve and service area expansion process, as shown in Attachment B, as amended.

Amendments:

1. Pg.B-78 strike the word "might";
2. Pg. B-73 switch policies 8.06 and 8.07;
3. Pg. B-37 add the first paragraph of the introduction language back in: "The natural environment that characterizes the Boulder Valley is a critical asset that must be preserved and protected. It is the framework within which growth and development take place. The city and county recognize that the Boulder Valley is a complex ecological system and that there are inextricable links among our natural environment, the economy, the built environment and community livability. The Boulder Valley is an open system in that our natural and human systems are connected to the region as well as to the entire world. The city and county acknowledge that regional and global changes can have a profound effect on the local environment and that the local economy and built environment can have adverse impacts on natural systems beyond the Boulder Valley.";
4. Pg. B-77 add the word "resiliency" to the introduction text.

On a motion by **W. Johnson**, seconded by **B. Holicky**, the board voted (5-2, **T. Plass** and **M. Young** opposed) to approve the text changes to the Boulder Valley Comprehensive Plan, in section VI. Amendment Procedures, including the Area III-Planning Reserve and service area expansion process, as shown in Attachment B, as amended.

T. Plass and **M. Young** voted against the motion only due to the fact the proposed language does not require four-body review for the service area expansion process.

Amendments:

1. Pg. B-87 Subsection c(2)i. Unique and Significant Community Opportunity: Language revised to clarify the eligibility criteria are stated in section 4.b, and clarification to make all the statements about a “hearing” or “hearings” on Pages B-87, and 88 plural, to mean both Planning Board and City Council.

Discussion

Two-Body Review - **T. Plass** doesn't like the two-body approval, as it doesn't allow balance in regards to a high threshold for the Planning Reserve. **M. Young** agreed. **D. Powell** supports the two-body because it is a filtering process with specific criteria that will keep the threshold high. **A. Brockett** agreed. **W. Johnson** shares **T. Plass** and **M. Young's** concerns, but can ultimately support a two-body review. **A. Shoemaker** also agrees with **D. Powell**.

Procedures for a Service Area Expansion - **D. Powell** expressed concerns about the currently written criteria for procedures for a Service Area Expansion. Staff worked to make changes to reflect her suggestions.

On a motion by **B. Holicky**, seconded by **A. Brockett**, the board voted (7-0) to approve the following Land Use Map, Area I, II, III Map and Trails Map changes to the Boulder Valley Comprehensive Plan as shown and described in **Attachments E and F**:

a. Land Use Map Changes:

Site 1: 2455 & 2475 Topaz Dr., 2473 & 2503 Sumac Ave.: Change to Very Low Density
Site 2: 2641 4th St: Change to Low Density Residential
Site 4: Transit Village Area Plan Phase 1 changes
Site 8: University Hill Commercial District: Change to Mixed Use Business and High Density Residential
Site 10: Performance Industrial Properties: Change to Light Industrial
Other minor changes and corrections as listed in **Attachment E**.

b. Area I, II, III Map Changes:

Other minor changes and corrections as listed in **Attachment E**.

c. Trails Map Changes.

On a motion by **M. Young**, seconded by **T. Plass**, the board voted (2 -5, **T. Plass** and **M. Young** in favor) to change the land use designation at Site 3 - 3003 Valmont from medium density residential to manufactured housing, and amend the Land Use Map description for Manufactured Housing to reflect both existing or proposed mobile home parks. The motion failed.

Discussion

M. Young cited previous testimony from the April, 21, 2009 public hearing where the residents provided a wildlife study, history and vision of the area that offered compelling argument about how the property is essential to the Orchard Grove community, so she would like to support their request to change it to the manufactured housing designation. **T. Plass** agrees with **M. Young**. **A. Brockett** won't support changing the land use designation since it could facilitate the loss of open space there. **W. Johnson** stated that changing the land use may be counterintuitive to saving the mobile home park and agreed with the staff recommendation.

On a motion by **B. Holicky**, seconded by **T. Plass**, the board voted (6-1, **D. Powell** opposed) to approve the following land use map change to Site 5 – Goss Grove Neighborhood, with a boundary smaller than recommended by staff, including the area between the alley north and south of Grove Street only, and a request that the other properties identified by staff and other adjacent parcels be analyzed further by staff for potential change at a later date.

D. Powell didn't support the idea of making sweeping changes at a meeting without knowledge of the area.

Discussion

B. Holicky was not in favor of the current drawing, especially preserving single family homes on Arapahoe. He would be in favor of a designation around Grove, drawn down the alleys, so that the plan reflects how it should be, not how it is. **D. Powell** agreed with **B. Holicky** in that the line seems arbitrary, but does not agree in making changes during the meeting and therefore would not support any changes. **A. Brockett** expressed concerns about the process and supports the concerns expressed by **B. Holicky** and **D. Powell**. **T. Plass** is in support of the staff recommendation to help the neighborhood get what it wants and would support more logical lines to get the process started. **W. Johnson** agreed with **T. Plass** and wants more logical lines. **A. Shoemaker** agreed with supporting moving forward on this, but wants the current line on Arapahoe due to the number of single family homes on it. He expressed concern about the add-ons by the community of 1903-2019 Goss, as well as the fact that the NE corner of Goss having a significant amount of non-single family homes that are being included. **M. Young** supports making the boundary smaller, but would also keep the boundary on Arapahoe and she would support carving out 1903-2019 Goss.

On a motion by **T. Plass**, seconded by **W. Johnson**, the board voted (7-0) to approve Site 6 – 1100 Block of Pine, changing the land use designation to mixed density residential.

Discussion

T. Plass requested this item be changed because the land use puts redevelopment onus on the

preservation program, rather than the land use and zoning being the density regulator, so this change will allow the area to solidify the historic designations while limiting development.

On a motion by **T. Plass**, seconded by **D. Powell**, the board voted (5-2, **M. Young** and **W. Johnson** opposed) to approve Site 7 – 3300 Airport Road changing to the land use designation to Light Industrial.

Discussion

W. Johnson and **M. Young** felt the site lacks a long term vision in terms of the airport and surrounding area use to support a change at this time.

On a motion by **B. Holicky**, seconded by **D. Powell**, the board voted (6-1, **T. Plass** opposed) to approve Site 9 – Lakecentre Parcels, including a minor amendment to the Service Area boundary and a land use designation of Light Industrial.

Discussion

T. Plass felt it didn't make sense to change the service area boundary since it seems logical as currently drawn.

On a motion by **W. Johnson**, seconded by **M. Young**, the board voted (7-0) to accept the staff recommendation for Site 5B (1511 Grove Street), changing to regional business (RB) land use designation.

5. ADJOURNMENT

There being no further business to come before Planning Board at this time, BY
MOTION REGULARLY ADOPTED, THE MEETING WAS ADJOURNED AT 11:14
P.M.

APPROVED BY



Board Chair

8-4-11

DATE